

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Amendment of Section 73.202(b)) MB Docket No. 03-64
Table of Allotments,) RM-10672
FM Broadcast Stations)
(Lamont and McFarland, California))

REPORT AND ORDER
(Proceeding Terminated)

Adopted: October 22, 2003

Released: October 24, 2003

By the Assistant Chief, Audio Division

1. The Audio Division has before it a *Notice of Proposed Rule Making* ("Notice")¹ filed by Dana J. Puopolo ("Petitioner"), proposing the allotment of Channel 247A to Lamont, California, as its first local aural transmission service. In order to accommodate this allotment, the Petitioner also requested the substitution of Channel 282A for vacant Channel 247A at McFarland, California. Petitioner filed comments reaffirming its intention to apply for Channel 247A if allotted to Lamont, as requested. No counterproposals or additional comments were received in response to this proceeding.

2. As discussed in the *Notice*, Lamont is a Census Designated Place located in Southern California. Lamont is an incorporated community with a 2000 U.S. Census population of 13,296 persons located in Kern County. Lamont has its own police department, district court, post office, zip code and telephone exchange. A newspaper, the *Lamont Reporter* is published in the community. Lamont also has its own chamber of commerce, school district, child development center, churches, restaurants, and a motel.

3. In view of the interest expressed in providing a first local service to Lamont, California, we will allot Channel 247A to that community, as requested since this allotment will not deprive McFarland of a second local service and is in the public interest. In order to accommodate the allotment at Lamont, we will substitute Channel 282A for vacant Channel 247A at McFarland, California.

4. As stated in the *Notice*, Channel 247A can be allotted to Lamont, California, consistent with the minimum distance separation requirement of the Commission's Rules, provided there is a site restriction of 6.5 kilometers (4.1 miles) southeast of the community.² Moreover, Channel 282A can be allotted to McFarland, California by using the same reference coordinates as vacant Channel 247A, in conformity with the Commission's Rules, provided there is a site restriction of 10.3 kilometers (6.4 miles) west of the community.³

¹ *Lamont and McFarland, California*, 18 FCC Rcd 4533 (MB 2003).

² The reference coordinates for Channel 247A at Lamont are 35-12-23 North Latitude and 118-52-57 West Longitude.

³ The reference coordinates for Channel 282A at McFarland are 35-40-16 North Latitude and 119-20-30 West Longitude.

5 Accordingly, pursuant to the authority found in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's rules, IT IS ORDERED, That effective December 8, 2003, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED, with respect to the communities listed below, to read as follows:

<u>Community</u>	<u>Channel Number</u>
Lamont, California	247A
McFarland, California	275B1, 282A

6. The window period for filing applications for Channel 247A at Lamont, California and Channel 282A at McFarland, California will not be opened at this time. Instead, the issue of opening these allotments for auction will be addressed by the Commission in a subsequent order.

7 IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

8 For further information concerning this proceeding, contact Rolanda F. Smith, Media Bureau, (202) 418-2180

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau